

Application Serial No.: 10/529,071

<u>Groups</u>	<u>Claims</u>	<u>Subject Matter</u>
I	1-16, 21	An adenovirus vector having an adenovirus gene under control of a minimal promoter and hypoxia responsive element (HRE)
II	17-20, 22, 23	A method of using the adenovirus vector of Group I to inhibit tumor growth or confer selective toxicity on a cell
III	24-36	A method for inhibiting growth of a target tissue by administering two adenovirus vectors to a hypoxic cell, wherein one of the adenovirus vectors in replication deficient.

#### APPLICANTS' ELECTION

Applicants hereby elect the invention of Group I, claims 1 through 16 and 21, drawn to an adenovirus vector having an adenovirus gene under control of a minimal promoter and hypoxia responsive element (HRE), for prosecution at this time.

#### REMARKS

Claims 1-36 are now pending in the subject U.S. patent application. Claims 1-36 as filed have been subjected to a Restriction/Election Requirement.

In response to the Restriction/Election Requirement, applicants have elected the claims of Group I, claims 1-16 and 21, for prosecution at this time.

Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter.

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CONCLUSIONS

Should there be any minor issues outstanding in this matter, the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

DEPOSIT ACCOUNT

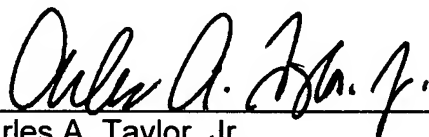
The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

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Date: August 1, 2007

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